

Appl. No. 10/663,941  
Amdt. dated June 5, 2006  
Reply to Office Action of April 5, 2006

### **AMENDMENTS TO THE DRAWINGS**

In compliance with 37 CFR 1.84(p)(4), Applicants have corrected the reference character "40" in Figure 2 by changing it to "42". A replacement sheet is submitted with this amendment and the corresponding specification has also been amended.

## REMARKS

In compliance with 37 CFR 1.84(p)(4), Applicants have corrected the reference character "40" in Figure 2 by changing it to "42".

Claims 1 to 8, 14 to 16 and 19 to 22 are currently pending. Claims 9 to 22 have been canceled herein without prejudice to facilitate prosecution of the subject application.

### 35 U.S.C. §102(b)

In the current Office Action, the Examiner has rejected claims 1, 3 to 5, and 7 under 35 U.S.C. §102(b) as being anticipated by Martinez et al., U.S. Patent No. 4,828,004 (hereinafter "Martinez".) More particularly, the Examiner alleges that Martinez teaches a garage door comprising sections that each have a panel and a panel overlay affixed thereto. For the following reasons, Applicants respectfully request reconsideration of this rejection.

Applicants invention is a roll-up door consisting of vertically aligned (*i.e.* one on top of the other) panel assemblies, each of which consist of a panel 73 and a panel overlay 77 (paragraph 0023.) The panel serves as a support for attachment of a preshaped panel overlay, which is thereafter permanently affixed to the panel (paragraph 0028.) As shown in Figure 3 (a horizontal cross-section of a panel assembly), and in Figure 4 (a vertical cross-section of a plurality of panel assemblies), the panel overlay completely covers the panel in all dimensions.

Martinez discloses a garage door configuration that also consists of vertically aligned panels. However, the panels of Martinez are composite units. More particularly, Martinez discloses that:

In the manufacture of the panel, particles or chips of wood, phenolic type resins, and a fiber overlay are integrally fused by a special process into a composite unit. This panel is preformed with the design therein." (col. 2, lines 45 to 48, emphasis added.)

In sharp contrast, Applicants invention utilizes a "panel assembly" approach to affix a design to the outside surface of the garage door (*see* Claim 1.) Such an approach allows the same door hardware to be used with any set of panel overlays, which drastically reduces manufacturing costs

and allows replacement of the panel overlays as desired to change the door design.

As amended herein, all claims now depend on amended Claim 1. It is Applicants' position that Martinez no longer anticipates Claim 1 as amended herein, and therefore cannot anticipate dependent claims 2 to 8 for the reasons just discussed. Accordingly, Applicants respectfully request reconsideration of this rejection.

35 U.S.C. §103(b)

Claims 2, 6, 8, 14, 15, 19, 20, 21, and 22 stand rejected under 35 U.S.C. §103(b) as being obvious over Martinez in combination with U.S. Patent No. 5,509,457 (hereinafter Jella) or U.S. Patent No. 4,550,540 (hereinafter Thorn.) However, these combinations of references cannot render the claims obvious, since Martinez fails to teach every limitation of the claimed invention, and the missing limitations are also absent from both Jella and Thorn.

More particularly, Jella does not teach or suggest a separate panel overlay. Jella's invention consists of a plurality of sectional door panels 100 (col. 2, line 46), each with a front surface (referred to as the front panel 12), and a rear surface (referred to as the rear panel 14) (*see* Fig. 3 and col. 2, lines 52-53.) Just as in Martinez, the entire panel is "formed together as a one-piece assembly" (col. 2, lines 59-60.) It is this one-piece assembly that may be optionally decorated with a pattern or texture "during the manufacturing process" (col. 3, lines 13-16.) Accordingly, Jella teaches away from the panel assembly approach of the subject invention.

Regarding Thorn, this patent discloses a door consisting of a single unit, not a door comprised of a plurality of panel assemblies. As such the combination of Martinez and Thorn cannot render the claims obvious, because this combination of references still fails to teach or suggest every element of the claims of the subject invention and does not therefore render the subject invention obvious.

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### SUMMARY

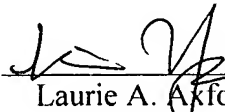
It is submitted that the foregoing amendments and remarks deal with all outstanding grounds of objection and rejection, and that all claims remaining in this application are now in condition for allowance.

Early notice to this effect is earnestly solicited. If there are any outstanding objections which could be dealt with by means of a telephone interview, the Examiner is encouraged to contact the undersigned representative at (619) 230-7714 or at [laxford@gordonrees.com](mailto:laxford@gordonrees.com).

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1990 and please credit any excess fees to such deposit account.

Respectfully submitted,

Dated: June 5, 2006

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